

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, February 23, 2016

8:30 a.m.

County Board Room – 3rd Floor – Courthouse

MINUTES

The Clay County Board of Commissioners met in regular session with all Commissioners present: Campbell, Gross, Ingersoll, Mongeau, and Weyland. County Administrator Brian C. Berg, Chief Assistant County Attorney Jenny Samarzja, and Senior Administrative Assistant Vicki Reek were also present.

APPROVAL OF AGENDA

On motion by Weyland, seconded by Campbell, and unanimously carried, the agenda was approved with the following additions: Recommendation from Correctional Facility Construction Committee to continue funding of schematic design for Law Enforcement Center; Township Road Maintenance contract renewal.

AUTHORIZE LEASE ADDENDUM FOR MOORHEAD PUBLIC SCHOOL DISTRICT IN WEST
CENTRAL REGIONAL JUVENILE CENTER

By consent agenda, the Board extended a lease with the Moorhead School District for Room 217 (classroom) at the Regional Juvenile Center, \$585.86 per month, for the 2016 school year.

AUTHORIZE NEW LEASE CONTRACT FOR MOORHEAD PUBLIC SCHOOL DISTRICT IN
WEST CENTRAL REGIONAL JUVENILE CENTER

By consent agenda, the Board approved a lease with the Moorhead School District for space on the 2nd floor of the Juvenile Center, for \$481.01/month, for the 2015-2016 school year.

CITIZENS TO BE HEARD

There were no citizens present who wished to address the Board.

APPROVE PAYMENT OF BILLS AND VOUCHERS

On motion by Campbell, seconded by Ingersoll, and unanimously carried, the bills and vouchers were approved for payment.

INTRODUCTION OF NEW ASSISTANT COUNTY ENGINEER, ERIC HOVE

The Board welcomed Eric Hove, who has been hired as the new Assistant County Highway Engineer.

HIGHWAY DEPARTMENT - DEPARTMENTAL UPDATE

County Engineer David Overbo provided a departmental update for the Highway Department, which included photos of the eight outlying shops, plans for 2016 equipment replacements, location of gravel pits, 2016 proposed bridge construction projects, the Five Year Construction Plan, upcoming retirements in the department, a potential HVAC

upgrade at the joint Highway facility, etc. Mr. Overbo informed the Board he continues to serve on FM Diversion Flood Protection committees, and plans to assist with the Correctional Facility projects (parking lots, engineering, etc.).

CONTRACT RENEWAL FOR TOWNSHIP ROAD MAINTENANCE

On motion by Mongeau, seconded by Weyland, and unanimously carried, the Board approved the 2016-17 Township Road Maintenance contract at \$796/mile, a reduction in the rate from last year (\$821). A 5-year rolling average method is used to calculate the rate, and last year's costs were low.

DISCUSSION RE: GOVERNOR DAYTON'S BUFFER INITIATIVE

Representatives from several entities (Clay Soil & Water Conservation District, State of MN Board of Water & Soil Resources, DNR, Buffalo Red River Watershed District, Wild Rice Watershed District) were present to provide information regarding Governor Dayton's Buffer Initiative. The buffer initiative, which was signed into law this year, establishes new perennial vegetation buffers of up to 50 feet along rivers, streams, and ditches that will help filter out phosphorus, nitrogen, and sediment. The law provides financial support for landowners to install and maintain buffers. A representative of each of the entities provided the impact of the law upon their respective entity. Maps of public waters and public ditch systems that require permanent vegetative buffers are being developed.

Senator Kent Eken and Representative Ben Lien acknowledged issues with the aggressive implementation time line for the project and will work for an extension.

REQUEST APPROVAL OF APPLICATION FOR CANCELLATION OF FORFEITURE, OUTLOTS S-1 AND L-1 BAKER TOWNSITE

On July 8, 2015 a parcel in Baker, MN, forfeited to the State of MN for non-payment of taxes. The property sold at the County's tax forfeit sale in December. The purchaser's attorney, in an effort to get clear title on the property, asked the County to prepare an Auditor's Certificate noting that we have completed the four processes of notification to interested parties. In the case of the Baker property, a proof of Sheriff's Service cannot be located. The County Attorney's Office has suggested to cancel the forfeiture, perfect the services, and re-auction the property. All costs incurred by the purchaser will be refunded.

The purchaser of the property, Michael Wagner, was present and was assured he will receive a refund for his purchase costs. Another auction will be held as soon as the above process has been completed.

On motion by Ingersoll, seconded by Mongeau, and unanimously carried, the Board approved the Application for Cancellation of Forfeiture described above and authorized refund of the purchaser's costs.

ANNUAL REPORT FROM BEYOND THE YELLOW RIBBON, MOORHEAD

Mr. Les Bakke was present to update the Board regarding activities of Beyond The Yellow Ribbon, a non-profit organized in 2011 to create awareness for the purpose of connecting Service members and their families with community support, training, services and resources. Beyond The Yellow Ribbon recently conducted two fund raisers, benefiting the Honor Flight and to provide recreational funds for residents of the VA Hospital and Veterans Home in Fergus Falls.

APPROVAL TO REPLACE CUSTODIAL POSITION

On motion by Campbell, seconded by Mongeau, and unanimously carried, the Board approved filling a full time equivalent Custodial position which is vacant due to retirement.

APPROVAL TO HIRE NEW JUVENILE COUNSELOR POSITION

On motion by Mongeau, seconded by Ingersoll, and unanimously carried, the Board approved hiring a new Juvenile Counselor for the Secure facility, by exchanging the hours/funding of a variable hour full time equivalent position and utilizing savings from positions which were vacated.

PRESENTATION RE: FM DIVERSION - LOCAL CEMETERY MITIGATION: APPOINT COMMITTEE MEMBERS

Mr. Rocky Schneider, Public Affairs Strategist for AE2S, was present to seek the Board's appointment of members to a Local Cemetery Mitigation Committee to study impacts on upstream cemeteries in connection with the FM Diversion project.

On motion by Campbell, seconded by Ingersoll, and unanimously carried, the Board appointed Commissioner Mongeau and County Engineer David Overbo to the Committee, with Commissioner Campbell as Alternate, to include payment of per diem.

APPROVAL OF LANGUAGE CHANGE TO PERSONNEL POLICY REGARDING PLACEMENT ON SALARY GRID

To provide consistency between departments, the Personnel Issues Committee has recommended a change to the Personnel Policy calling for the County Administrator's approval of placement of new hires on steps 2 or 3 of the salary grid. County Board approval will still be required for placement on steps 4 and higher. Commissioner Mongeau felt this function should be within the duties of the Human Resources Department.

On motion by Ingersoll and seconded by Weyland, the Board approved a language change to the Personnel Policy requiring County Administrator approval for placement of new hires on steps 2 or 3 of the salary grid. Commissioner Mongeau was opposed to the motion.

APPROVAL OF INDUSTRIAL WASTE MANAGEMENT PLAN

As a condition of the approval of the landfill permit, the MPCA required Clay County to complete an Industrial Waste Management Plan. This plan directs how Industrial Waste will be handled at the Clay County Landfill to protect public health and environment by ensuring that wastes are properly evaluated and managed, identifying wastes for acceptance at the landfill, and addressing waste screening and evaluation of specific wastes to be accepted. The Plan has been completed and approved by the MPCA.

On motion by Ingersoll, seconded by Mongeau, and unanimously carried, the Board approved the Industrial Waste Management Plan as described.

CY 2016 ADULT AND CHILDREN'S CRISIS RESPONSE SERVICE GRANT

Social Services Director Rhonda Porter informed the Board that Lakeland Mental Health has been awarded \$879,000 in Adult & Children's Crisis Response Service Grant funds for Clay, Otter Tail and Wilkin Counties. In the past this amount was \$250,000. These funds will allow for expansion of the crisis mental health services in the three

counties. Clay County will serve as fiscal host. The contract was included in the 2016 list of Purchase of Service Agreements which was approved in late December, 2015.

RECOMMENDATION FROM CORRECTIONAL FACILITY CONSTRUCTION COMMITTEE TO
CONTINUE FUNDING OF SCHEMATIC DESIGN FOR LAW ENFORCEMENT CENTER

County Administrator Brian Berg informed the Board that the Correctional Facility Construction Committee has recommended Board approval of up to \$50,000 for design schematic work for the new Law Enforcement Center (LEC). In the Committee's discussions it has become clear that constructing the LEC close to the time frame of the Jail project will be cost effective and necessary to move the Jail construction along timely. The City of Moorhead has also committed up to \$50,000 for this design work. A recommendation will be forthcoming from the Finance Committee that the LEC be built and owned by Clay County, with a long term agreement for the City's lease of a portion of the LEC.

On motion by Weyland, seconded by Campbell, and unanimously carried, the Board agreed to fund the LEC schematic design work up to \$50,000.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSION

Commissioner Weyland attended meetings of the Personnel Issues Committee, Corrections Facility Construction, and Area Agency on Aging.

Commissioner Ingersoll attended meetings of the Local Advisory Council on Adult Mental Health, Lake Agassiz Regional Library, and Local Advisory Council on Children's Mental Health.

Commissioner Campbell attended meetings of the Highway Tracking Committee, Township Meeting re: Road Maintenance Contracts, and Corrections Facility Construction.

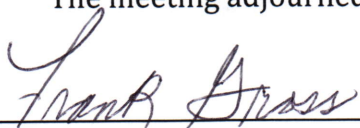
Commissioner Mongeau attended a meeting of the Cass-Clay Food Systems Joint Powers Commission.

Commissioner Gross attended meetings of the Personnel Issues Committee, Highway Committee, Township Meeting re: Road Maintenance Contracts, Hawley Motor Vehicle Open House, Historical Society, MetroCOG, and Lakeland Mental Health.

County Administrator Brian C. Berg reported on meetings concerning the Personnel Issues Committee, Lakes Country Co-op, Central Administration Managers, Township meeting re: Road Maintenance Contract, Personnel evaluations, and Corrections Facility Construction meeting. He informed the Board that Klein McCarthy Architects will be updating the County Board regarding the Jail project on April 5th. A presentation will be made to the Senate Bonding Committee on March 2nd concerning the County's request for bond funds for the Jail project. A six-entity FM Diversion informational meeting will be held February 25th.

ADJOURN

The meeting adjourned at 11:25 a.m.



Frank Gross, Chair
Clay County Board of Commissioners


Brian C. Berg, County Administrator